1:Vaillant A-5 (1928-1936)1941 NU7 Aztec NU7

tated against the social advantages of the gathering. To steal corn, the staple of life, when growing in the field, was a serious offense, demanding the death penalty or slavery, but a wayfarer might with impunity satisfy his hunger by plucking ears from rows adjacent to the road. To filch gold, silver and jade, precious substances reserved for religious ornaments, was also a mortal crime. 685

Murder, even of a slave, brought the death penalty. Rebels and traitors received the same fate, but kidnapers were sold into slavery. Drunkenness was a serious crime except at prescribed ceremonial occasions. Social disapproval, public disgrace, even death by stoning or beating, were penalties suffered by the intemperate. However, the old of both sexes, who had fulfilled their tribal obligations, were allowed great latitude in their potations. 682 [683 687] 689 [672]

The witch or practicer of black magic was sacrificed, and death was likewise the lot of him who impersonated a high official. A slanderer had his lips cut off and sometimes his ears as well. Brawling and fighting in the market place were dealt with severely, but in an ordinary case of assault the assailant paid for the cure of the assailed and for any damage done. Adultery was punished with great severity, even death, when committed outside the pale of the divorce laws. Hanging was the usual penalty for violation of the incest laws, and sodomy was punished with revolting brutality. 683 687 [304] 689 684

Thus reduced to cited instances, Aztec law was brutal. Actually, from childhood on, the individual grew up into correct social behavior; the violator of the code met with serious consequences. All people had some kind of personal property, but land belonged to the tribe and only its produce to the individual. Therefore, the elaborate legislation 421 [671]

3: Sahagun M-5 (1529-1590) 1951 NU7 Aztec NU7

796 346

who were called Tlaloca. And this was done once yearly.

tlatlaloque. Auh inin ceniuhtica in muchiuhtivia ipan

Maculcalli, and Maculquiauitl.

796 346 687 648

Here, in this place, here died the informers, those who imparted secrets which they had discovered to those who were not dwellers here—the Tlaxcalteca, or the Uexotzinca, or the Cholulteca, who entered the fortifications here in Mexico; who bore information hence.

And if they escaped, if they went forth taking information, these Tlaxcalteca, or Uexotzinca, or Cholulteca, and all who had entered the fortifications then would emplace [themselves], and thus wait [in ambush] for the Mexicans. And when the Mexicans came there, great numbers would die at that place.

And if [the informers] were noted here in Mexico, then [the Mexicans] laid hands upon them and slew them, hacking them limb from limb, here at Maculcalli or Maculquiauitl.

Macujlcalli, ioan macujlqujaujtl.

In vncan yn, vncan mjquja in tetlanenque: in qujmjlhujaia tetzauhtlaoque, in amo njcan chanequc, in tlaxcalteca, anoço vexotzinca, anoço chololteca, in valiaucalaquja njcan mexico: in qujvalcuja tlatolli.

Auh intla ovelqujaque, intla oconcujco tlatolli, in iehoantin tlaxcalteca, anoço vexotzinca, anoço cholelteca, yoan in ye ixquich valiaucalaquja: njman ic tlateca, injc qujnchia mexica: auh in jquac onvi mexica, cenca mjiec in vmpa ommjquja.

Auh intla oitoque njcan mexico: njman qujntzitzqujaia, ioan qujnmjctiaia, qujntetequja: in vncan macujlcali, anoço macujlqujaujtl.

Tecciacalli.

796 346

Tecciacalli: here Moctezuma himself did penances and offered incense. And here dues were paid [to the gods]. And fasts were observed at the time of the great feasts. And then were slain, and died, the captives.

Tecciacalli.

In tecciacalli: vncan tlamacenaia in iehoatl motecuçuma, vncan tlenamacaia: ioan vncan mextlavaia. Auh çan iquac in vncan moçauaia, in vevey ilhujtl quiçaia: yoan vncan mjcovaia, vncan mjquja in mamaltin.

Poiauhtlan.

Poiauhtlan: here fasted Mexico's fire priest and the fire priest of [the Temple of] Tlalocan, once yearly, at [the feast of] Etzalqualiztli. They offered incense at Poiauhtlan. And here were slain, and died, the captives.

Poiauhtlan.

In poiauhtlan: vncan moçauaya in mexico tlenamacac, ioan in tlalocan tlenamacac: ceniuhtica, ipan in etzalqualiztli: nehoan vncan tletemaia in poiauhtlan: ioan vncan mjcovaia vncan mjquja in mamaltin.

The Skull Frame[9] of Mixcoapan.

The Skull Frame of Mixcoapan: here they strung up the severed heads of those who died in the Temple of Mixcoatl.[9]

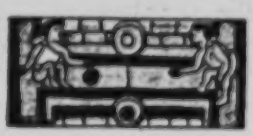
Mixcoapan tzumpantli.

In mjxcoapan tzumpantli: vncan quiçoia in jztmontecuin, in mjquja mjxcoatempan.

8. Actually the severed heads were strung on the skull racks, and then allowed to decompose.
9. Probably Mixcoatempan was intended for Mjxcoatempan.

532
[687]
[625]

[689]
[526]



[533
534]
[735]

[482]

—After Pap y Troncoso

86. Punishment of an erring official (Chapter 17). 87. Punishment of a careless musician (Chapter 17). 88-90. Keeping watch in the city against enemies (Chapter 17). 91. The game *tlachtli* (Chapter 17). 92. Gifts of the ruler to the poor (Chapter 17).

[p. 36(M)]

1/2[This caption is in error, - Aswad??]

[p. 36(L) is blank]

6: Sahagún M-S (1529-1590) 1954 NU7 Aztec NU7

692 695 nounced. And in what was there made known, the lords did nothing for friendship's sake; they exacted nothing as reward; nor delayed [any case].

vncan caqujtiloia tlatoque atle quicnjuhchioaia atle tlaxtlaujltica quixpachoaia, anoço qujuecaoaia.

SECOND PARAGRAPH, which telleth of the court, the place of discussion, where spoke the judges.

[693] Teccalli,[5] or Teccalco: there were the judges and noblemen.[6] Every day the common folk and vassals laid complaints before them. Calmly and prudently [212] they heard the plaints of the vassals; in the picture writing which recorded the case, they studied the complaints. And when they tested their truth, they sought out and inquired of informers and witnesses who could size up the plaintiffs, [who knew] what had been stolen and what was charged.

●687 And the ruler, if he knew anything ill of these judges—perhaps that they needlessly delayed the case of common folk, that they deliberated two years or even four—[that] they could not pronounce judgment because of either a bribe or kinship,—he then seized them and jailed them in wooden cages, exacted the penalty, and slew them, so that the judges might walk in dread.

[When] Moctezuma was lord, he learned many ill things of the judges Mixcoatlailotlac, Teicnotlamachti, Tlacochcalcatl, Iztlaca mixcoatlailotlac, Umaca, Toqual. Uictlolinqui, [all] of Tlatilulco—that they had unjustly discharged their office of judge. Then he seized them, jailed them in wooden cages, exacted the penalty, and slew them.

INIC VME PARRAPHO, itechpa tlatoa in audiencia in tlatoloian in vncan tlatoaia tecutlatoque.

Teccalli, teccalco, vncan catca in tecutlatoque, in tetecuti, in momuztlac imixpan moteilhujaia, cujtlapilli atlapalli maçeoalli, iujian iocuxca, in quicaquja in jnneteilhujl maçeoalli: tlapallacujlolpan in qujpoaia, in qujttaia neteilhujlli: auh injc qujnneltiliaia, qujntemoaia, qujmjtlanja in machiceque, in tlaneltilianj, in qujmachilia moteilhujque, in tlein qujmocujcujlia, in tlein ipan moteilhuja.

Auh in tlatoanj, intla itla qujnmachili in iehoantin tecutlatoque, aço çã tlapic qujuecaoa, in jneteilhujl cujtlapilli, atlapalli, aço ie uxiujtl, anoço ie nauhxiujtl qujnemjtia in amo uel qujtzontequj, aço can ipampa tlaxtlaujli, anoço hoaiolcaiotl: njman qujmjlpia, quauhcalco qujntlalia, qujtzacutiuj, qujmjctia, injc mauhca iezque tecutlatoque.

Tlatocati motecuçuma, mjiec tlamantli in qujnmachili tecutlatoque mjxcoatlailotlac teicnotlamachti, tlacochcalcatl, iztlaca mjxcoatlailotlac vmaca, toquai, victlolinquj, tlatilulco in amo melaoac qujchioaia in jntequjub tecutlatolli: njman qujmjlpi, quauhcalco qujntlali, qujtzacutiaque, qujnmjcti.

692 565 684 THIRD PARAGRAPH, in which is described the place of discussion where were the brave warriors and the noblemen.

Tecpilcalli: there were [to be found] and were established the noblemen, the brave warriors,[7] the valiant men, wise in war. If the ruler knew something ill of some nobleman—although he were a great prince,[8] or brave warrior—if he had committed adultery, then he sentenced him to be stoned before the people, to die stoned.

[When] Moctezuma was lord, one who was a prince, named Uitznauatl ecamalacotl, committed

INIC EI PARRAPHO: vncan mjtoa in tlatoloian, in vncan catca in tiacaoan, iuan in pipilti.

Tecpilcalli, vncan catca, vncan tecpanoaia in pipilti, tiacahoan oquichti, in iauc matinj, in tlatoanj intla aca itla qujmachili pilli, in manel cenca tlaçopilli tiacauh intla otetlaxin, njman qujtlatzontequjlia, injc teixpan tetepacholo tetica mjquj

motecuçuma tlatocati, ce tlacatl tlaçopilli itoca vitznaoatl ecamalacotl tetlaxi in oconteixpauique ix-

5. Sahagún, in the corresponding Spanish text, refers to all of these places as "another hall"—"otra sala."

6. Manuel Orozco y Berra, in *Historia antigua y de la conquista de México* (México: Tipografía de Gonzalo A. Esteva, 1880), I, p. 267, explains that "*En cada barrio de México había un recinto, donde ordinariamente por las mañanas, durante cuatro diarios, se reunían los jueces superiores.*" Clark, *Tep. cit.*, I, p. 97) writes: "The four seated figures behind the judges, called *tetuti*, are young men of rank who attend the courts for instruction, so that in time they might rise to the positions of judge." (See also ff. 67r and 68r of the *Mendoza Codex*.)

7. *Tecanoti, pilli, tecpilli*: cf. Sahagún, *op. cit.*, III, p. 26; Jones, *op. cit.*, pp. 34, 68.

8. *Tlaçopilli*: cf. Jones, *op. cit.*, p. 34.

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6: Sahagún M-5 (1529-1590) 1954 NU7 Aztec NU7

643 701 the seasoned warriors, the fearless warriors, the Otomí, and the noblemen who dwelt in the young men's houses.

721 And when it had come to pass that the ruler adorned them, when he had done this to the brave warriors, then the ruler ordered all the majordomos to bear their goods, all the costly devices, and all the valuable capes there to battle, that the ruler might offer and endow with favors all the [other] rulers, and the noblemen, and the brave warriors, the men [at arms] who were about to go to war, who were to be extended as if made into a wall of men dexterous with arms. And the ruler forthwith called upon the rulers of Texcoco and Tlacopan and the rulers in all the swamp lands, and notified them to proclaim war in order to destroy a [certain] city. He presented them all with costly capes, and he gave them all insignia of great price. Then he also ordered the common folk[2] to rise to go forth to war. Before them would go marching the brave warriors, the men [at arms], the lord general, and the commanding general.

726 The lords of the sun, it was said, took charge and directed in war. All the priests, the keepers of the gods, took the lead; they bore their gods upon their backs, and, by the space of one day, marched ahead of all the brave warriors and the seasoned warriors. These also marched one day ahead of all the warriors of Tenochtitlan. Again these marched one day ahead of all the warriors of Tlatilulco. These also marched one day ahead of all the men of Acolhuacan, who likewise marched one day ahead of all the Tepaneca, who similarly marched one day ahead of the men of Xilotepec; and these also marched one day ahead of all the so-called Quaquata. In like manner the [men of] other cities were disposed. They followed the road slowly and carefully.

And when the warlike lands[3] were reached, the brave warrior generals and commanding generals then showed the others the way and arranged them in order. No one might break ranks or crowd in among the others; they would then and there slay or beat whoever would bring confusion or crowd in among the others. All the warriors were extended there, until the moment that Yacauitztli, [god of] the night, would descend—that darkness would fall.

tiacahoan, in oquichtin, in tequjoaque, in quaquachicti, in otomj: ioan in telpuchnemj in pipilti.

auh in ie iuhquj, in otecencauh tlatoanj, in tiacauh, in iuh oquichiuh. Niman quinnaotia, in tlatoanj: in jxquichtin calpixque, injc intlatquj ietiaz; in jxquich tlaçotlanquj, tlaujztli: ioan in jxquich tlaçotilmatli, in vmpa iauc, in quinmacaz, in quintlauhtiz, in tlatoanj: In jxquichtin tlatoque, ioan in pipilti, ioan in tiacahoan, in oquichtin in iauteoatoque, in iuhquj oçelotenanti, quauhtenanti mochiuhtoque: ioan in tlatoanj, achto quinnotza in tlatoanj tetzcuco, ioan tlacopan: ioan in jxquich chinanpanecatl in tlatoque, quincaquitia, injc iautlatoa, injc poliujz ce altepetl: quintlauhtia, in jxquich tlaçotilmatli, ioan quinmaca, in jxquich tlaçotlanquj tlaujztli. Niman no ic quinnaotia: in jxquich in jmaçeoal, injc iauquiçatiuh: impan hicatiuj in tiacaoan, in oquichtin, in tlacochcalcatl tecuthi, ioan tlacateccatl,

tonatiuh itlatocahoan mjtoaia, quijiacana in qujujca iauc, iacattiuj in ixquichtin tlamacazque, in teupixque, quinmama in jntevoan cemjlhujtl qujmjztztiuj, in ixquichtin tiacahoan, in tequjoaque, no cemjlhujtl qujmjztztiuj, in jxquich iauqujzquj in tenochcatl, no cemjlhujtl qujmjztztiuj, in jxquich iauqujzquj tlatilulcatl: no cemjlhujtl qujmjztztiuj, in jxquich aculhoacatl: no cemjlhujtl qujztztiuj, in jxquich tepanecatl, no cemjlhujtl qujztztiuj, izilotepecatl: no cemjlhujtl q'mjztztiuj, in jxquich moquztaitoa: çan no iuj in oc cequj altepetl, motetecpana, iujian, iocuxca, in otlatoca.

Auh in jcoac, oaxioac teuatenpan, tlachinoltempan, in iehoantin tiacaoan tlatlacuchcalca, tlatlacatecca njman teumaca, tetecpana, aiac vel tepanauja, aiac vel tetlan qujça, çan njmɔ̄n vncā quinmjctia, quinujujtequj, in aqujn tlaixneloznequj: tetlan quiçaznequj, in oommoten ixquich iauqujzquj, in ie inman in ocalhuetz acauiztli, in tlaioalli injc tlaioxalcujoaz: auh in jcoac ie itech nequetzaloz, in altepetl poliujz, achto oc cenca mochiia in tletl, in quenman cue-

2. The corresponding Spanish passage reads: "Mandaua luego, a los valerosos, que llamaua armas, a todos los principales, para sí, y para sus soldados: y entonces lo manifestaua a su gente, y les daua armas."

3. Tenutzpan, tlachinoltempan: cf. Sahagún, op. cit., II, p. 103 (lugares para la guerra señalados), and p. 105 (los lugares de los bandos).

And when they already were to rise against the city to destroy it, first was awaited tensely the moment when fire flared up—when the priests brought forth [new] fire—and for the blowing of shell trumpets, when the priests blew them.

And when the fire flared up, then as one arose all the warriors. War cries were raised; there was fighting. They shot fiery arrows into the temples.

And when they first took a captive, one fated to die, forthwith they slew him there before the gods; they slashed his breast open with a flint knife.

And when the city had been overcome, thereupon were counted as many captives as there were, and as many Mexicans and Tlatilulcans as had died. Then they apprised the ruler that they had been orphaned for the sake of Uitzilopochtli; that men had been taken captive and been slain. And the ruler then commanded the high judges to go to tell and inform all in the homes of those who had gone to die in war, that there might be weeping in the homes of those who had gone to war to die. And they informed those in the homes of as many as had gone to take captives in war that they had received honors there because of their valor. And they were rewarded according to their merits; the ruler accorded favors to all—costly capes, breech clouts, chocolate, food, and devices, and lip rods and ear plugs. Even more did the ruler accord favors to the princes if they had taken captives. He gave them the offices of stewards, and all wealth without price—honor, fame, renown.

And if some had done wrong in battle, they then and there slew them on the battlefield; they beat them, they stoned them.

And if several claimed one captive, and one man said, "He is my captive," and another man also said, "He is my captive": if no man verified it, and also if no one saw how they had taken the captive, the lord of the sun decided between them. If neither had an advantage of the two who claimed the captive, then those who had taken four captives, the masters of the captives, decided that to neither one would the captive belong. He was dedicated to the Uitzcalco[4] [or] they left him to the tribal temple, the house of the devil.

And when the city which they had destroyed was attained, at once was set the tribute, the impost. [To the ruler who had conquered them] they gave that

ponja: injc tlequauhtlaça tlamacazque: ieã in tlapitzalli in tecuciztli, in oquipitzque tlamacazque: 726

ioan in ocuepon tletl, njman ic cemeoa, in jxquich iauquinquj, motempepauja, mjcali, qujtlemjna in texcalli.

Auh in achto in caçi malli in maliacatl, çan njman vncan, imjxpan qujmjctia, in teteu, tecpatica quelteuj.

Auh in jcoac ompoliuh altepetl, njmã ie ic nemalpoalo, in quexquich malli: ioan in quexquich omjc mexicatl, in tlatilulcatl, njman muchi qujcaquitia in tlatoanj, injc tepal oicnopiltic vitzilobuchtli injc otlamaloc, ioan omjcoac: auh in tlatoanj njman qujnnaoatia, in tecutlatoque: injc qujtemachtitiuj, injc qujtocaqujcititiuj, in jnchan in jxquinti, oiaumjquito, injc choquililoaque in jnchachan, in oiaamjquito: ioan qujtecaquitia in jnchan, in quexquj otlamato iauc, ic vncan qujcujia in maujziotl, in jpampa oquichiotl: ioan qujmomacevjaia in jxquich itechcopa in tlatoanj, in tlaçotlmatli, in maxtlatl, in atl, tlaqualli, ioan tlaujztli, ioan teçacatl, nacochtli: oc cenca qujmjcneliaia in tlaçopipilti, in tlatoanj intla otlamato, qujmaca calpixcantli: ioan in jxquich tlaçotli necujltonolli, in maujziotl, in tleiotl, in teiotl. 727 [555]

Auh intla acame qujtlacoa iauiotl, njman vmpa qujnmjctia in iauc qujnviujtequj, qujntetepachoa. 687

Auh intla acame, qujmocujcujlia ce malli, qujtoa ce tlacatl, ca nomal, in oc ce tlacatl no qujtca ca nomal: intlacamo ce tlacatl itech nelti, aiac no qujmjttac, in quenjn tlamaque: ichoantin qujntlatzontequjlia, in tonatiuh itlatocahoan: aiac de onquiça in jmomextin in qujmocujcujlia in malli: iuh qujtzontequj, in quauhtlatoque, in mallatoque, aiac ce itech pouhquj iez in malli: vitzcalli qujpoaia, calpolco qujcsoaia, in jchan tlacateculotl. 727

Auh in jcoac oxtcoac altepetl in ovmpoliuh, njman icoac motlalia, in tequjtl, in tlacalaqujlli itech mana in tlein vmpa muchioa, zuh njman no iquac iaque- 728 651

4. Cf. *ibid.*, pp. 381-382, referring to the deeds of Cuauhtemoc, whom eleven fought until dead in succession: "Este era uno de quatro del consejo que se dize Uitznahua."

643 drums, the rubber drum hammers, and the ground
533 drums, and all the properties used in the dance. And
534 [he appointed the kind of] dance, him who would give the pitch, those who would lead, him who would beat the two-toned drum, him who would play the ground drum. All was first arranged, so that nothing would be left out.

643 And when there was a dance, the ruler [decided]
535 the day. At this time, he adorned and arrayed him-
292 self, [in his] head band with sprays of quetzal
301 feathers and gold, with which he bound his hair; a yellow labret, or a green stone lip plug, which he inserted in his [lower] lip; golden ear plugs, which he inserted in [the lobes of] his ears; and he laid on a neck band, either a neck band of green stone or a collar with turquoise inserted; he placed on his wrist a bracelet with a large green stone upon it, or a large turquoise; or a golden arm band; and a quetzal feather fan. With [these] costly goods he went in procession and danced. With a priceless cape he covered and wrapped himself, and in a costly breech clout he girt himself.

565 Then also they arrayed and accorded favors to all
535 the lords, and noblemen, the men [at arms], brave warriors, and the high judges, and the [lesser] judges, and brave warriors, men [at arms], and masters of the youths, and singers. And the ruler gave them drink and food, all the things which have been mentioned.

● 687 And if the singers did something amiss—perchance a two-toned drum was out of tune, or a ground drum; or he who intoned, marred the song; or the leader marred the dance—then the ruler commanded that they place in jail whoever had done the wrong; they imprisoned him, and he died.

643 FOURTH PARAGRAPH, in which is told how
726 he who was the ruler kept vigil; how he kept guard at night and all day, because of war.

The ruler was especially concerned with the keeping of watch against enemies and the guarding of the city, all day and all night. Hence he gave stern commands that guard should be kept faithfully. For at times, suddenly, the City of Mexico was circled by foes; perchance somewhere for this they were gathered together, and were laying a snare. Therefore the ruler kept careful vigil. He did not become besotted. He himself sometimes set forth by night, circled the city, and beheld what was done: perhaps the priest

veuetl: ioan in iaquich maçeoallaquiztl, ioan netotiliztli, aquin cujcaitoz, aquiquac in teiacanaztiquc, aquin teponaçoz, aquin veuetzoaz, mochi[6] achto mocencaoaia inic ade itlacauia.

Auh in ie iceac maçeoa tlatoanj, in tlein ilhuiztl ipan mocencaoa, mochichioa quetzallalpiloni coztic teucuitlaio, inic quiipia itzon, coztic teçacatl, anoço chalchiuhtentetl in conaquja itenco, coztic teucuitlanacochtli, in caquja inacazco: auh in cozcatl conteca, aço chalchiuhcozcatl, anoço coxcapetlatl, teuxiuitl itlaxtoc, macuextli imac quitlalia vei chalchiuitl ipan ca anoço vej teuxiuitl, anoço coztic teucuitlamatemecatl, quetzalcacaxoxtli, tlaçotlanquj inic mitoa inic macoa, tlaçotilmatli in quimololoa, in quimoquentia, tlaçomaxtlatl in quimomaxtlatia,

njman ic no quicencaoa quintlauhtia: in iaquichtin tlatoquē, ioan pipilti, in oquichti, tiiacaoan, ioan tecutlatoque, ioan achcacaubti, ioan tiiacaoan oquichtin, ioan tiachcaoan, ioan cujcanjme, ioan quinmaca in jiauh, in jtlaqual tlatoanj in jaquitlamantin omoteneuhque.

Auh intla itla quitlacoa cujcanjme: aço teponaztli quichalanja, anoço veuetl, anoço cujcaitoa, quipolos cujcatl: anoço teiacana, in quipolos netotiliztli: njman tlanaoatia in tlatoanj, quauhcalco contlalia in aquin tlatlacoa, quitzacutiuh mjquja.

INIC NAUJ PARRAPHO: vncā mjtoa inic innoçoaia in aquin tlatoanj, inic tlapiaia in ioaltica: ioan in cemjlhuitl in jpāpa iauiotl.

In tlatoanj oc cenca quimocuitlaujaia in iautlapializtli, ioan altepepializtli, cemjlhuitl ceioal, ic tlatlaquauhnaoatiaia, inic cenca tlapialoz ma quenmanjan atenemachpan iauiaoalolo in altepetl mexico, aço cana ica necentlalilo, tlachichiujlilo, ipampa cenca intoçoaia in tlatoanj, amo tlaoanaia, iioma in ioltica quenmanjan quiçaia quiiaoalos in altepetl quiça tlein muchioa, acaçomo tlapia in tlamacazquj in tiachcauh aço ie necuitlaujlo in mjxitl in tlapetl in ectli ioan oc cenca quintlaquauhnaoatiaia in tlatoanj

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or the master of the youths were not keeping watch, having already become addlepated.[10] And the ruler most sternly commanded that all the seasoned warriors and lords keep watch all day and all night in warlike lands and be concerned to be a rampart of men dexterous at arms in enemy paths. And they were to apprehend and seize informers who had entered here in secret, who walked about the city. And they perceived when war was to be proclaimed. And when war already was declared, then they hastened to enter [their city] to warn their lords so that then they would ready themselves for guarding against the foe.

in jaqujchtin iuuonaque in tlatoque icemjlhujtl 643
içoioual tlapizaque, in tiuuenpan in tlachinoltempil, 726
in quimocuitlauiaque oçelotenamjtl, quauhtenamjtl,
in iuuotli: ioan quimanaxque quinezcizqujsque in
tetlan nenque in ichtaca oalcalaquj in quioalnemilia
altepetl, ioan oallapia in jqujn iuutlatolos, auh in
oquicaque ca ie iuutlatolo: njman calactiuetzi in
connonotza intlatocauh inic njman no moçencaoa
iuutlapializtica.

And if informers[11] were seized, they were slain; they were beaten, because of what they made known. And if it were noted that some knew the Mexicans and were living with them in their homes, they also imprisoned the informers of the ruler's foes, with the householders who had been plotting with them, and their children, and plundered their goods, so that nothing[12] was to be seen in their homes.

Auh intla ano tetlanenque, mjctilo, tetzoxonalo 687
inca nenonotzalo. Auh intla macho, ca acame quj-
mati in mexica in inchan oalmocalhotia, in tetlanen-
que in jiuohoan no qujtzacutiuja, inca nenonotzaloia
in chaneque, ioã in jnpilhoan, ioan namoieloia in
intlatquj aã neneçia in inchan.

And likewise the ruler urged strongly that watch be kept within the city, all day and all night, lest someone betray the city, lest it might be surrounded by enemies. And therefore sometimes the ruler and the city would march forth. And the ruler commanded that rulers of the youths, the brave warriors, and all the youths, each day, at night, should sing and dance, so that all the cities which lay around Mexico should hear. For the ruler slept not, nor any of the Mexicans.

Auh çan no iuhquj cenca ipan tlamaia in tlatoanj 643
injc cenca tlapialoz in jitic altepetl, icemjlhujtl, 726
çeoual, in ma aca qujtlachichiujli altepetl, in ma 722
iuuiaoalolo quenmanjan, auh injc icanaz tlatoanj,
ioan altepetl quijnaoatiaia in tlatoanj in telpuchtla-
tzoque, in tiacahoan: ioan in izqujch telpuchtli, injc [533]
momoztlae ioaltica cujcoanozque, injc qujoalcaquja
izqujch altepetl, in qujiaoalotoc mexico: ca amo
cochi in tlatoanj, ioan izqujch mexicatl.

And when it was deep night, then the priests of Tenochtitlan and of Tlatilulco, and [men from] all the hamlets [nearby], blew shell trumpets and beat two-toned drums. Then all the priests went forth. Everywhere they performed penances all about the mountain tops. And thus they kept watch lest they come upon something. [When] already it grew light, they went into [the city]. Thus they kept guard each night; thus did they do.

Auh in jquac tlaquauhtlapoiaoa: njman tlapitza, 722
ioan teponaçohoa, in tlamacazque tenochca, ioan
tlatilulca: ioan izqujch altepemaitl, icoac quiça in
jaqujchtin tlamacazque, noujian in ontlamaçeoa
noujian tepeticpac, ioan ic ontlapia in aço itla quj-
namjqujtiuj ie tlatujnaoac ỹ oalcalaquja injc ontla-
piaia çeçeoal iuh qujchioaia.

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10. Simeon, op. cit., identifies ocuitl as an intoxicating plant, and ihcpatl as Nicotiana communis, a medicinal plant. Olmos, op. cit., p. 223, has, for Master a cave enlace, o dar mal consejo: Mixtl, ihcpatl, cuauhxoch qui, cuauhxil tlacotlaoaloni. . . . ¿ for Embarrachase, o mio de arre: Youth equus in verb, ex tamanal, in tecuhtli, in cuauhxolopul inic oyaxtiuic, inic acxotiuic, In Lib. VI, fol. 28bv, of the Florentine Codex, this passage appears: "In tiacauhtzinco, in tiouelmaxmaxtiloyan: in telpuch mixtil, in pahpaz ihcpatl ixtiqui. Inchipa mjtoaia: in aquin ximomaxmaxtiloya: ximomaxmaxtiloya: ca telpuch in mo tlamaqui, mo ihcpatl oquiqui: inic axcan quihmaxtiloya in tlein ic mocuitlahuia: quenqui inic ciaia, in amo mamaxtiloz: ihuiuia. Tlein mach ixtiqui, tlein mach oticpaqui: ainic ual huiloznia, ainoian quihtlanaia in mocuitlo: in axcaxa ixtiqui, ixcuaia in tlatecuhtli." The corresponding Spanish text reads: "Esta letra quiere decir. Andar [illegible] y dandose palmadas en el pecho como hombre que a sido vencido [illegible]. Por consiguiente se dize: de aquel que anduda trompeo y [illegible] en su viaje, donde corrigido, no se quiere enmendar; y a este dizen de aquel que se burlo de consejo que tuvieron hecho contra vencido o corrigido."

11. Tetlan nenque: variously translated, according to Simeon, op. cit. Tetlanpanoani, borrower, in Molina, op. cit., is translated in chirmarre or enoblir (pengar, tomboarse); hacer, prouidir, inhumar).

12. Ahi: probably ahic is meant.

6: Sahagún M-5 (1529-1590) 1954 NU7 Aztec NU7

and finally all the people of the uplands and those of the swamp lands."[4]

And Moctezuma said to them: "You have tired yourselves; you have suffered affliction, O men dexterous in war. Rest yourselves. [But] perhaps you only fool me. Let me still behold the truth of your account."

And then he confined them. If the report which they had made were not true, Moctezuma jailed them and did away with them

And there in battle was when captives were taken. When it had come to pass that they went against and conquered the city, then the captives were counted, there, in wooden cages: how many had been taken by Tenochtitlan, how many had been taken by Tlatilulco, and by the people of the swamp lands and the people of the dry lands everywhere. The captives were examined [to determine] how many groups of four hundred were formed.

Those who counted were the generals and the commanding generals. And then they sent messengers here to Mexico. Those who were sent as messengers were seasoned warriors, who informed Moctezuma of the great veracity of the four-hundred count. They brought word of how many groups of four hundred had been made captive.

And then they declared to him how many of the noblemen had won their reward for having made captives; that haply a number [of them] had had their hair shorn as seasoned warriors, or that some [had been made] leaders of the youths. When Moctezuma heard this, he rejoiced exceedingly, because his noblemen had taken captives. And at that time he freed those whom he had cast in jail—the victory messengers—and he gave them gifts along with the others.

And if war should be proclaimed against Atlixco, or Uexotzinco, and if there once again they took captives, they won much glory thereby; Moctezuma accorded them great honor for it. For his noblemen had taken captives, and had gained repute, and had reached the station of nobility—the estate of the eagle and the ocelot warriors. From there they came to rule, to govern cities; and at that time they seated them with [the nobility], and they might eat with Moctezuma.

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Auh qujmjlhujaia in moteçuma, oanqujçiauhque, oanqujhjouique in oçeloqujchtle: ximotlalican aço çan annechuztlacahuja, ma oc njcchia in jneltica tlatolli:

[667]

auh njman qujmoncaltzaqua intlacamo melaoac tlatolli oqujcaqujtique moteçuma qujntlatlatia qujnpopoloa.

727

Auh in vmpa iauc in iquac otlamaloc, in ie ihuquj in oia in oompoliuh, altepetl, njman ic mocempoa in mamalti, in vncan oacaltitla quezquj oaxioac in tenochtitlã, quezquj oaxioac in tlatilulco, auh inic nouijan cenchinanpanecatl, centlallhoacpanecatl, mocemjtta in mamalti quezqujtzontli omochiuh.

[202
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Jehoantin tlapoa in tlatlacochcalca, in tlatlacatecca: auh njman ic oallatitlanj, in njcan mexico, in oalmotitlanj ithoantin in tetequjoaque, in qujoalnonotza motecuçuma, in ie uel imelaoaca in jcentzontecca, in qujoalitquj tlatolli, in quezqujtzontli omochiuh inalli:

auh in qujmelaujliaia in quezqujntin otlachopillhujque in pipilti in otlamaque, aço cequjntin motequjoacaxima anoce cequjntin telpuchiacati. Jn qujcaquja in motecuçuma cenca ic papaquja ipampa ca ipilhoan in ontlamaque: auh qujnjquac qujnqujxtiaia, in qujncaltzaquaia in tequjpan titlanti qujmõtehoan motlatlaubtia.

[431]

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Auh intla oalmjtoz iaujotl in atlixco, aço vexotzinco, intla oc ceppa vmpa tlamazque, ćenca ic vel panuetzi, ic cenca uel qujmmavjxtilia in motecuçuma: ipampa ca ipilhoan in ontlamaque, in onmoteniotique in oconmjiaoaiotique in pillotl in quauhiotl, in ocelotl, ic oncan in qujça in tlatocati, in qujpachoa altepetl, auh qujnjquac intlan qujntlalia: ytlan tlapoa in motecuçuma

4. *Chiuampanecatl*: Sahagún's comment on fol. 53 of Book X of the *Florentine Codex* is descriptive: "*y los de la tierra seca, que son los cerqueros de los chiuampas.*"

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701 721 their estate as men dexterous in war, as men of valor, as chieftains. Thus none, when they went, might take account that they might die. [For] if war were not proclaimed, if they were not to go off to die, none might know for how much time they might live. And if war were proclaimed, then set forth together the assembled men of Mexico. The generals and the commanding generals led them. When they reached the place which they were to conquer, upon the next day they disposed them in battle array.

726 687 And there on the battlefield went the shorn ones in pairs. The Otomí [warriors] also went in pairs. If one of the shorn ones died in the fray and if the other of the shorn ones turned tail, then Moctezuma [had an official] take after him. No more might he enter the Eagle House; they kept him shut away in his [own] house. Of no further use was he. And they suspended the shorn one. And in the same way they exacted penalty of Otomí [warriors] if one of them died [in battle] and if the other fled. They took after him; they suspended him as chieftain. And also they deprived him of rank if he showed fear.

All with which they had bedight him—the precious capes and costly breech clouts—no longer could he assume. He might put on only a poor maguey fiber cape or a wretched yucca fiber cape, as he deserved.

701 431 643 And perhaps in a year or two [Moctezuma] remembered him, sought him out, and drew him from his home. And when he went before Moctezuma, thereupon he gave him again the devices, perhaps [ornamented] with quetzal feathers or with gold. Then [the ruler] gave him gifts: he presented him a bundle of capes, and provided him with grains of maize—he gave him a canoe full of maize grains: and he provided him with *chia*—he weighed out two large measures of *chia*. And thereafter once again he placed himself among [those in] the Eagle House, because he merited once more assuming all the costly capes and breech clouts and all the honors which were his.

701 726 And if, as a shorn one, or as an Otomí [warrior], he were to take a captive there at Atlixco or at Uexotzinco, much was Moctezuma's heart gladdened thereby. And all the lords were happy because of it; they were pleased and rejoiced therefor, that those who were shorn ones or Otomí [warriors] had taken captives: because men dexterous in war had surrounded [the foe].

inocceloyo inic oquichti inic tiacauh. aic ayac ỹ uiui ça quipopouhtinemi in [illegible]. im ma ualmihto yaoyotl im ma ommiquiti ma oce ontlamati in oc quesquich canin nemizqz, auh intla oualmihto yaoyotl nimā cemolini i ye ixtlacatl mexicatl. in teyacana tlatlacochcalca. tlatlacatecca in oacito in ōpa tepeuaqz. oc cemilhuipā i yaoteca.

auh i ye ompa yaoc. ommettitiui in quaquachicti. no ometitiui. in otomi. intla ce oyaomic quachic. intla oc ce ualmocuepa quachiqz. niman ic quiohtocaya i moteocçoma. aocmo calaqz in ōuhcali. ça iccen quicallatiaya. aocca moneqz. auh q'tzaultiaya inic quachic. Auh çan ye no iuh q'ntlatzacuikiaya in otomi intla çan no ce omic intla oc ce ualmocūepa. quitohtoca quicaualtia inic tiacauh. auh no quicaualtia inic otlamamauhtiaya.

in isquich in itech oq'tlaliaya in tlaçotilmahtli. in tlaçomastlatl. aoc tle quicui. ça ichtilmahtzintli. anoço icçotilmahtzintli. in q'mulpilia. inic quitlamahcetualmacaya.

auh in quilnamiquia aço ce xiuitl anoço ōxiuitl. in quitemouaya. ychan in q'ualanaya. auh in ōya ispā motecuiçoma. nimā ye ic q'ualmaca in tlauiztli açó quetzallo. anoço teocuitlayo. niman quitlauhtia, cen q'milli in q'maca tilmatli. yuā quitlaoltia cem acalli in q'maca tlaolli yuan quichientia. aço ontetl y ucy tzincopinq' ic q'tamachiua chien. auh quī ye no ceppa yquac tetlan motlalia in ōuhcali. ypampa ca ontlamahceuh oc ceppa mochi q'cui in tlaçotilmahtli in tlaçomastlatl. in isq'ch ytech pouı in imauizço.

Auh intla yquachicyo intla yotōyo ypan otlama in ompa atlisco anoço uexotzinco oc cenca ic paquis in iyollo motecuiçoma. yuan in isquichtin tlahtoqz ic papaqz ic motlamachtiaya ic ahauiaya. in oypan tlamahqz inquīachicyo in imotōyo. ỹpāpa ca oquimiauiyotito in quiuhyotl in oceloyotl.

7: Sahagún M-5 (1529-1590) 1955
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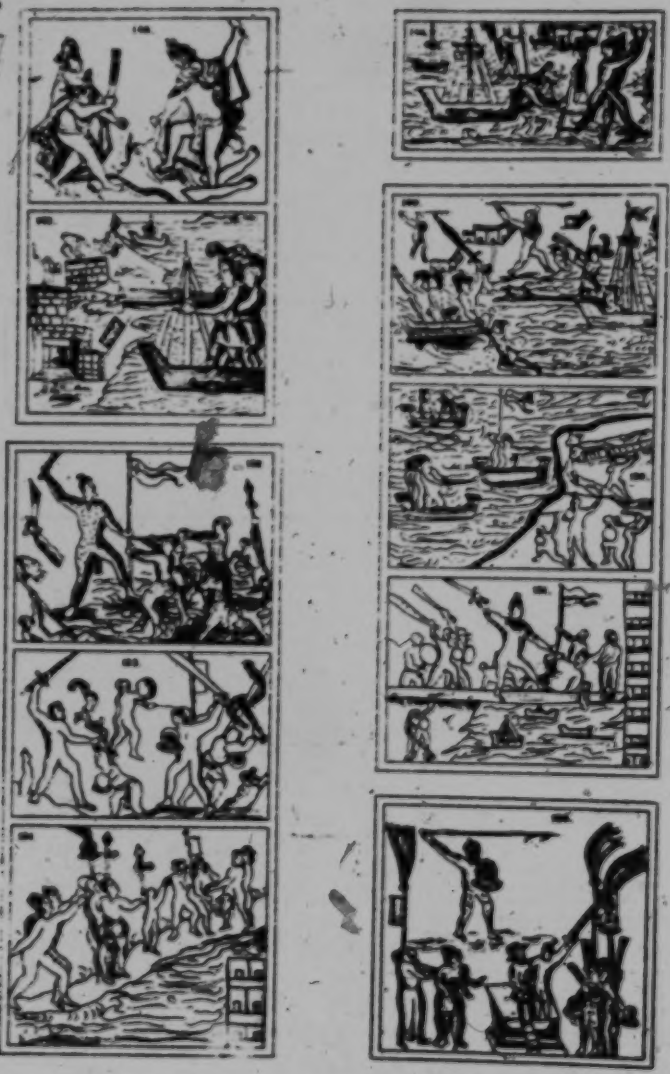

— *Aloe Press y Traverso*

146. Quiahuiteco and Moyotecatzin punish the miners (Chapter 33). 147, 148. Spaniards arrive at Yaahuitztlan (Chapter 33, 34). 149-151. Mexicans disperse the Spaniards and capture some (Chapter 34). 152-155. Moteuhzoma exposes and sacrifices fifty-three Spaniards, some horses, and many allies (Chapter 35).

[p. 44 (4)]

726 And all the boats which were at Nonoalco then were assembled there; all left from there in order to pursue. Then they proceeded to kill in those of Xochimilco. Thereupon they slew them; they speared and beat them. But some they only took. And almost all died there; in truth, there they were destroyed. And all [the women] whom they had seized, all of them they left there. None of the beloved women were taken away.

And while this was already coming to pass, then the Spaniards settled back.

And just as those of Xochimilco had devised, and would have done, just so [the Spaniards] would do away with us through deceit. And all whom they seized of Xochimilco, Cuitlauac, etc., they thereupon brought and hurried there to Yacacolco, where now is [the Church of] Santa Ana.[1] There were Quauhtemoc and Mayeuatzin, ruler of Cuitlauac (for he was here at the time of the war).

And when [those of Cuitlauac] had been brought, they greeted Mayeuatzin. They said to him: O my younger brother, [may it] be well with thee." But Mayeuatzin replied to them: "You fools, have I perchance bidden you? What have you done?" And Quauhtemoc then said to Mayeuatzin: "O my younger brother, do thy work." And Mayeuatzin thereupon offered up as sacrifices four, whom he slew, of his vassals. Likewise Quauhtemoc slew four.

And later, of all who were included among the captives, it was commanded that they be slain, everywhere in the temples of the devils. Everywhere the captives gave blood to [the images].

726 ● 687 Add afterwards the Mexicans were wroth because of this. They said: "Verily, here among us, mingling with us, are the people of Xochimilco; they have already made their homes here. Do they not, in truth, deliver their messages [to our foes]? So these we shall take forth; they shall perish!" And upon this, when judgment was indeed pronounced, thereupon were drawn out all the beloved women and old women, and those already mature. All were slain. None were spared, because of those who went bearing false witness of them and doing undeserved ill: those of Xochimilco and Cuitlauac who came [saying] they would help us.

Auh in nonoualco in onoca in jnquich acalli: nimā ic mochi ynpa mocemjequiz, mach ynpa in iuic tlamoca: nimā ic quiztacujlico in Xochimilca: njman ie ic temjctia, tzintili, tevivinequi. Auh ce-quintin çan quimacique: auh vel muchintin, vncā mjcque, vel oncan mjztlaique. Auh in jquichtin in quimacique, çā muchtin vncan quicauhq̄ aiac vicoc in cioatzintinti.

Auh in jquac ie iuh muchica in, njman ic mocentextlalique in Españoles.

Auh in juh quimolhuica, in juh quichivaznjuja xochimilca, çan ic technacalpoloaquja: auh in jxquichtin quimacique in xuchimilca: in Cuitlavaca. &c. njman ie ic quivica, quiztotoca in ynpa Jacacolco, in axcan ie itaqui Ana: ynpa icaca in Quauhtemoctzi, yoan in Maichoztzin, cuitlaoac tlatoani (ca njcan ipan muchiuh in iauiztl).

Auh in axivaque conthapalcuanj in Maichoztzin: conjlhuja. Nicaubtzine, n.ololicatzin: auh in maichoztzin, quinvalilhuja. In antlapalpopul cuix namechcujcujtiavi, te oamaxque. Auh in quauhtemoctzin njman quiçalilhuj in Maichoztzin. Nicaubtzine ma ximotlacotili: auh in Maichoztzin: njman ie ic tlamjctia, navi in cōmjcti in jmacecalhoan: no navi in conmjcti in Quauhtemoctzin.

Auh in çatepan in ac ontaquj in mamalti, callanvatiloc injc mjctilocque novian in intecpan tlatlacateculo, vel novian tepanjtique in mamalti.

Auh çatepā ie ic qualanj in Mexica: quitoque, Ca njcan totlanonoc, techcholonc in xuchimjlcal in ie njcan chanchiva, amo nel ynpa cenlalia in jtlatol. Auh inin ça tāquijcaca, çan popolivi: auh in ie iuhqui, in ovel motolinc, njman ie ic tepaçaco in cioaztzintinti, in jlauaztzintzin yoā in ie tlapalivi, machiztin mjmjctiloque, aocac mocauh ; ic, ça iuhquin quimontlatolevizo, quimoncujtlachivizo in ovallaque in techpalevizquja xochimjcal, in cujtlauacal.

1. Spanish text: "en el Tlatilulco." A footnote, "sede del gobierno de Cuauhtémoc, donde actualmente se encuentra el templo de Santa Ana en la calle del Peralvillo," according to R. H. Barlow: "Una pintura de la conquista en el templo de Santiago," *Tlatelolco a través de los tiempos*, VI (1949), p. 50. Cline (*op. cit.*) identifies it as a diminished or neighborhood in the form of Sta. Ana Atzacualco, near Tlatelolco.

16:Bandelier E-4 (no date) 1880 NU7 Aztec NU7

684 a crime which the calpulli was bound to punish in the most exemplary manner.

689 While we are not at all surprised at such severity in the cases
562 above stated, it cannot fail to astonish us, that such apparently harmless acts as those of a *man wearing female dress* and of a *woman appearing in male attire* were visited upon the offenders with death.[129] Still, the ancient Mexicans could assign from their peculiar point of departure good cause for such cruel punishments. The position of woman was so inferior, they were regarded as so far beneath the male, that the most degrading epithet that could be applied to any Mexican, aside from calling him a dog, was that of "woman." It was more injurious than coward. Now, for a man to assume the garb of such an inferior being became almost equivalent to a crime against nature. It was an act of wilful degradation which was a deadly insult to his own kin. On the other hand, if a woman presumed to don the dress of her lord and master, it again was a crime of an equally heinous nature. In both cases the dignity of the whole consanguine group became deeply affected, and death alone could satisfy its honor. After this, it is needless to say how the actual crimes against nature were regarded and punished.[130]

687 It was also a capital crime for any man, to assume the dress or ornaments peculiar to an office, without being himself that office's lawful incumbent. Besides being a grave insult to the rightful officer, it was a dangerous offence towards the kin, especially in case of war, when it amounted to actual treason.[131]

684 Since it was the kin's duty to protect, not only the persons, but also the property of its members, it follows that adultery committed with a married woman entailed deadly punishment upon the male, whether he was married or not. His crime was that of stealing the most precious chattel of one member of the calpulli.

[129] This is so generally mentioned by all authors, that special references are superfluous.

[684] [130] All authors insist that incest was punished with death. *Torquemada* (Lib. XII, cap. IV, p. 289): "Todos los que cometian incesto en el primer grado de consanguinidad, tenian pena de muerte, si no eran cuñados, y cuñadas." *Mendieta* (Lib. II, cap. XXIX, p. 137). *Vetancurt* (Vol. I, p. 481). All these authors appear to have gathered their information from the same source, or rather Torquemada is frequently Mendieta's plagiary, while Vetancurt often copies Torquemada. To avoid superfluous quotation, I beg to refer, on the subject of "unnatural crimes," to *Bancroft* (Vol. II, pp. 466, 467 and 468, "*Native Races*").

[131] *Mendieta* (Lib. II, cap. XXVII, p. 132), copied by *Torquemada* (Lib. XIV, cap. III, p. 540), *Durán* (Cap. XXVI, pp. 214, 215 and 216), and others.

16:Bandelier E-4 (no date)1880 NU7 Aztec NU7

to a class of thefts and other similar offenses, committed against worship or "medicine." 685

Any attempt at seduction of a female who had taken the pledge of chastity in behalf of medicine, was most cruelly punished, both in the persons of the seducer and the female; and if a medicine-man broke his vows, he suffered a horrible death.[138] 688

We have already mentioned that it was a capital crime on the part of a warrior to take for himself a prisoner of war secured by another.[139] Such cases occurred only during an engagement or immediately after it. Why an action of that kind should entail so rigorous a punishment can be easily inferred, if we recollect that a captive of that kind became at once sacred — an object of medicine. No return could atone for the offence, since it had been committed against the "rites of worship," one of the kin's most sacred and important attributes. Under the same head must be placed the capital punishment of such as wrongfully appropriated to themselves gold or silver. Both of these metals were regarded as objects of medicine, and whoever seized them unlawfully, committed a crime against worship also.[140] 687 688

Santiago de Mixico," 3d Edition, 1625, Lib. I, cap. XXVI. p. 83): "Si muere alguno dellos con deudas, como si los deudos las heredassen por parecerse deudas y deudas en el nombre, procuran luego entre los parientes pagarlas, porque el anima de su difunto no dilate la entrada en el cielo. Y si no tienen caudal para pagar, procuran que se perdone la deuda, y sino salen con esta traça, se dan luego todos en servicio al acreedor hasta que del todo se pague lo que el difunto devia. Viviendo yo en el colegio de San Luys de predicadores el año de 1586, sucedió morir un Indio que trabajaua en aquel sumptuoso edificio, y era muy diestro cantero; auia recibido dineros adelantados, y quando murió quedava deviendo veynte pesos, ó reales de á ocho. Viniéron luego al colegio los parientes reconocièuda la deuda, y pidiendo que los ocupasen en servicio del colegio, para que se descontasse lo que su defunto deuia. No se les dana mucho a los padres del colegio por cobrar estos dineros; porque demas de ser pocos no parecia que auia modo para cobrarlos; y mas por acudir á la devocion de los deudos, le dixéron á uno, que viniesse á trabajar en la huerta. Era marauilloso el cuydado del Indio, assi en venir cada dia, como en venir muy de mañana; y preguntandole un religioso la causa de su cuydado, dixo, que le temia porque su pariente se fuesse al cielo, y desde alla le ayudasse con Dios, y no estuviesse en el infierno chiquito, que los predicadores llaman purgatorio."

My friend Col. F. Hecker, to whom I communicated the above, at once recognized in it an analogue to the ancient Teutonic "*Gesammt-Burgschaft*." He called my attention to the remarkable organization of the Germans. Compare *Luden* ("*Geschichte*," etc., Vol. I, p. 502), which valuable source I also owe to the kindness of the distinguished German jurist.

[138] In regard to "priests" it is also stated that they were merely degraded and cast away; but this is hardly probable since, the higher the position of the culprit, the severer was his punishment.

[139] Compare also *H. H. Bancroft* (Vol. II, p. 619). *Prescott* ("*Conquest*," Book I, chapter II, p. 47).

[140] *Mendieta* (Lib. II, cap. XXIX, p. 130). *Vetancurt* (Vol. I, p. 134): "Al que hurtaba